



Common Council Meeting Minutes
Tuesday, January 17, 2023, at 6:30 p.m.
Chilton City Hall – Lower Level
42 School St., Chilton, WI 53014

Pursuant to Section 19.84(2) and (3) of the Wisconsin State Statutes, notice is hereby given to the public, to the Tri-County News, the official newspaper of Chilton, and to those news media who have filed a written request for this notice that a meeting of the above-referenced was held at the date, time and location listed above.

This meeting was conducted both in City Hall and via remote conferencing. Members of the public may join meeting through a Zoom link or call +1 312 626 6799 US (Chicago), Meeting ID: 970 4854 9352, Password: 434719.

Notice is hereby given that much of the Common Council of the City of Chilton, or a standing committee of that body were present at this meeting to gather information about the subject matter which they have decision making responsibility.

The above governmental body met to discuss and possibly act on the following agenda items as set forth below:

The regular meeting of the Chilton Common Council held at the Chilton City Hall was called to order at 6:30 p.m. by Mayor Tom Reinl.

ROLL CALL:

Council members Peggy Loose, Joe Schoenborn, Jon Kragh, Ron Gruett, Robbie Seipel, Rick Jaeckels, and Kathy Schmitzer were present at roll call. Other city officials present were Mayor Tom Reinl, City Administrator David DeTroye, DPW Chris Marx, and Attorney Derek McDermott.

Also in attendance was Rachael Siehs, Betty Schilling, Greg Kubichka, and Tom Austin.

Those in attendance recited the Pledge of Allegiance.

AGENDA: Motion by Schmitzer, seconded by Gruett and carried by unanimous voice vote to approve the Common Council Agenda for January 17, 2023, as presented.

REPORT OF OFFICERS:

MAYOR – Tom Reinl –

- Mayor Reinl informed the council and audience that the city will continue to post all meeting information packets as well as agendas in advance of the meetings to continue to promote better transparency.

CITY ADMINISTRATOR - David DeTroye –

- The 2023 Special Project Listing, Timeline associated, and goals of the administrator were distributed to members of the council.

DIRECTOR OF PUBLIC WORKS – Chris Marx –

- Unseasonably warm weather allows construction to continue in Chillington Meadows and at the S.C. Swiderski development. Street crews used the weather window to complete a round of street sweeping in January. Sewer cleaning operations have been able to continue as well until the weather changes.
- Utility design is in process for the East Main St. reconstruction project. Preliminary core drilling and roadway assessment scheduled for the upcoming week.

CHIEF OF POLICE – Craig Plehn – No Report

Minutes: Motion by Jaeckels, seconded by Schoenborn and carried by unanimous voice vote to approve the minutes of the council meeting held on December 20, 2022.

Operator Licenses – Motion by Gruett, seconded by Schmitzer and carried by unanimous voice vote to

approve the operator permits for Sarah Dawe and Sara Ann Ray as approved by the police department.

December 2022 Financial Report – Motion by Jaeckels, seconded by Seipel and carried by unanimous voice vote to approve the December 2022 financial report as presented.

Payment of Bills: Motion by Jaeckels, seconded by Seipel to pay all bills.

Roll Call Vote: Loose, Kragh, Jaeckels, Schoenborn, Seipel, and Gruett all cast Aye votes. Schmitzer abstained. 6 – 0 motion carried.

Audience Participation: Citizen Greg Kubichka asked for consideration by the council to allow service groups and the band to use the city hall facility after the construction of the fire department is complete. Kubichka was not aware that additional renovations are to occur that will potentially last into 2024. Mayor Reinl made comment that parking is the biggest obstacle during the construction period and service groups are being relocated to help ease the congestion at city hall.

Committee Report: Planning Commission –

1. Conditional Use Permit – Bartel Bothers Real Estate LLC - 920 Progress Way – Contractor Shop and Yard – Tom Austin of Austin Management Services was present to discuss the conditional use permit request for 920 Progress Way that is currently owned by Bartel Brothers Real Estate LLC. Austin has contracted a 12-month lease of the property from Bartel with an agreed purchase of the property after 12 months on January 1, 2024. Austin intends to transfer his business of storage and shipping containers from 442 Clay Street to the 920 Progress Way location. He also has plans to sell the 442 Clay Street property and vacate the premises. The zoning of the Progress Way location is I-2 Industrial, which permits the containers. However, the practice of retail, rental, and refurbishing the containers requires a conditional use permit. Mayor Reinl described to the council what had occurred at the planning commission meeting and why a contractor yard classification was more practical than the junk/salvage yard title, as conditional uses stay with the property, and future uses could be restricted if the property was to be transferred in ownership at a later date. Reinl also highlighted the four conditions that the planning commission recommended for council approval. Council member Schoenborn asked about additional safety concerns and whether locks need to be placed on the containers and whether fencing should again be considered. A discussion ensued about safety. Austin made comment that he feels his business is finally in the proper location which will allow it to operate properly and safer. Motion by Gruett, seconded by Loose to approve a conditional use permit for Bartel Brothers Real Estate LLC located at 920 Progress Way for Contractor Shop & Yard with the following conditions being outlined:

1. All refurbishing of the containers shall occur within the building and comply with all state and federal regulations.
2. The storage of containers is deemed an inventory item, and therefore shall not be used for storage or other purposes, other than refurbishing and marketing to third parties. No other equipment or materials are to be stacked on top of the containers.
3. Any future proposed signage must comply with the City of Chilton municipal code language.
4. Mandated setbacks are required for the east side of the property. Double stacking of containers is prohibited within 12 feet of the East Property line from the Northernmost point of the existing building continuing to the South as far as the front ROW along Progress Way.

Council member Gruett made comment that Austin has done a good job with his business and that he made motion to retain his business within the city. Roll call vote: Schmitzer, Loose, Kragh, Jaeckels, Schoenborn, Seipel, and Gruett all cast Aye votes. 7 – 0 motion carried.

New Business:

1. 2022 Year-end Account Appropriations – Mayor Reinl described to the council the changes/appropriations that were made within the 2022 financial sheet and where and what accounts were affected by the financial changes. Motion by Schmitzer, seconded by Loose and carried by unanimous voice vote to approve the 2022 year-end account appropriations as presented.
2. Special Event Application – Chilton City Band – Summer in the Park Band Series – application that outlines the times and dates for the summer 2023 concert in the park series that the band coordinates. Motion by Loose, seconded by Schoenborn, and carried by unanimous voice vote to approve the Special Event Application for the Chilton City Band for the Summer in the Park Band Series.
3. McMahon & Associates – General Engineering Agreement – Minor Projects – DPW Marx made comment that this is an annual agreement that covers small projects that are generally under

\$5,000.00, or that come as an emergency. Motion by Jaeckels, seconded by Schmitzer and carried by unanimous voice vote to approve the general engineering agreement with McMahon Engineering.

4. Habitat for Humanity Signage on City-Owned Property (Library) – Administrator DeTroye informed the council that Habitat for Humanity would like to place a 4 foot by 8-foot sign on the lawn of the Public Library to promote the May 11-13, 2023, Rock the Block event. Any signage on city owned property or within parks is prohibited unless approved by council. A lengthy discussion ensued with input from each of the council members. It was decided that the action would lead to other service groups asking for consideration. Council member Kragh asked for exception, as this is a city sponsored project. Other areas for the signage were discussed. Motion by Loose, seconded by Schmitzer to deny the placement of the Habitat for Humanity signage on city owned-property. Roll Call Vote: Gruett, Schmitzer, Loose, and Jaeckels voted in favor of denying the signage, Schoenborn, Seipel, and Kragh voted in favor. Motion to deny was approved with a 4-3 vote in favor.
5. Appointment of New Agent – Walgreens – Motion by Schmitzer, seconded by Schoenborn and carried by unanimous voice vote to approve the appointment of Lenay Taylor as the new licensed agent for Walgreens.
6. WWTP Purchase & Replacement – PH Temperature Probe – Mulcahy Shaw Water – DPW Marx informed the council that two quotes were received for the PH temperature probe for the wastewater treatment plant. The current probe has failed. Motion by Schoenborn, seconded by Loose to approve the purchase of the PH temperature probe from Mulcahy Shaw Water for \$3,791.00 with funds taken from the wastewater utility fund. Roll call vote: Schmitzer, Loose, Kragh, Jaeckels, Schoenborn, Seipel, and Gruett all cast Aye votes. 7 – 0 motion carried.
7. WWTP Purchase & Replacement – Maintenance Garage Side Door – Tri City Glass & Door – DPW Marx informed the council that two quotes were received for the service door for the wastewater treatment plant. The current door was installed in 1983 and is in disrepair. Motion by Jaeckels, seconded by Loose to approve the purchase of the maintenance garage side door from Tri City Glass for \$2,930.00 with funds taken from the wastewater utility fund. Roll call vote: Schmitzer, Loose, Kragh, Jaeckels, Schoenborn, Seipel, and Gruett all cast Aye votes. 7 – 0 motion carried.

Council Member Kragh had to leave the meeting at 7:04 pm.

8. Cleaning & Televising WWTP 24-inch Sewer Mainline – DPW Marx informed the council that three quotes were received for the annual cleaning of the sewer mainline that runs from the area of the Manitowoc River to the treatment plant. The cleaning is done in the winter when flows are lower. DPW Marx recommended the low bid from Speedy Clean. Motion by Loose, seconded by Schoenborn to approve the quote from Speedy Clean of \$3,960.00 for cleaning the 24-inch sewer mainline with funds taken from the wastewater utility fund. Roll call vote: Schmitzer, Loose, Jaeckels, Schoenborn, Seipel, and Gruett all cast Aye votes. 6 – 0 motion carried.
9. Janette Excavating Bid for Services - TID 6 Asphalt Millings Crushing – DPW Marx presented the council a quote of \$10,000.00 from Janette Excavating for crushing the millings pile that is located at the city garage facility. The majority of the millings are from Irish Road. The city retains millings and has them processed into usable gravel for miscellaneous projects throughout the year. When asked about a second quote, Marx informed the council that other crushing options are minimal and many of the other firms would not mobilize for the amount of crushing to be performed. Marx did produce an invoice the showed the cost of purchasing gravel when needed is twice as much as the cost would be for crushing the existing millings. Motion by Jaeckels, seconded by Schoenborn to approve the quote from Janette Excavating in the amount of \$10,000.00 for crushing the existing millings pile located at the city garage with funds to be taken from TID 6. Roll call vote: Schmitzer, Loose, Jaeckels, Schoenborn, Seipel, and Gruett all cast Aye votes. 6 – 0 motion carried.
10. Technical Services Agreement – Strand Associates – WWTP – DPW Marx informed the council that the current permit to operate the wastewater treatment plant which is filed with the DNR expires in June of

2023. The agreement with Strand Associates outlines four services that are needed to renew the permit. The cost of the services is \$9,800.00. Funds for the services and renewal would be taken from the wastewater utility fund. Motion by Schmitzer, seconded by Gruett to approve the technical services agreement with Strand and Associates in the amount of \$9,800.00 with funds taken from the wastewater utility fund. Roll call vote: Schmitzer, Loose, Jaeckels, Schoenborn, Seipel, and Gruett all cast Aye votes. 6 – 0 motion carried.

11. Amendment #1 – Technical Services Agreement - Strand Associates – WWTP – DPW Marx explained to the council that on-going changes in the requirements needed for compliance at the wastewater treatment plant has required the current contract signed in 2020 to be amended to reflect a 6 year timeline for completion of the mini rebuild of the wastewater plant versus the original two year forecast. There is no additional fee associated, but the amendment and timeline needed changing in order to keep the contract in order between the city and Strand and Associates. Motion by Schmitzer, seconded by Loose and carried by unanimous voice vote to approve amendment #1 to the technical services agreement with Strand and Associates.
12. Purchase of Lot 1 CSM 3331 – 4.22 Acres Progress Way TID # 6 - From Austin Management Services LLC – Mayor Reinl informed the council that the city has the option to repurchase Lot 1 of CSM 3331 back from Austin management Services for the price of \$12,660.00. The 4.22 acre parcel was sold to Austin in 2020 and the terms of the developers agreement were never completed. Motion by Gruett, seconded by Jaeckels to purchase Lot 1 of CSM 3331 from Austin Management Services for the price of \$12,660.00 plus any additional fees needed for recording with funds to be taken from TID 6. Roll call vote: Schmitzer, Loose, Jaeckels, Schoenborn, Seipel, and Gruett all cast Aye votes. 6 – 0 motion carried.

Communication:

1. Chilton Housing Authority Meeting Agenda & Minutes were distributed.
2. December 2022 Building Permit Summary was distributed.
3. 2022 Building Permit Annual Report was distributed, and City Administrator DeTroye presented the highlights from the 2022 construction season.
4. Chilton Public Library Meeting Agenda & Minutes were distributed.

Adjournment: Motion by Loose, seconded by Schoenborn and carried by unanimous voice vote to adjourn the meeting at 7:21 pm.

Meeting Minutes Prepared by:
David DeTroye
City Administrator/Clerk/Treasurer